

United States Bankruptcy Court

Eastern District of New York

Voluntary Petition

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| Name of Debtor (if individual, enter Last, First, Middle): Heavy Construction Lumber, Inc. | Name of Joint Debtor (Spouse) (Last, First, Middle): |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) 11-2488933 | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) |
| Street Address of Debtor (No. and Street, City, and State): 380 Morgan Avenue Brooklyn, NY <div style="text-align: right;">ZIP Code 11211</div> | Street Address of Joint Debtor (No. and Street, City, and State): <div style="text-align: right;">ZIP Code</div> |
| County of Residence or of the Principal Place of Business: Kings | County of Residence or of the Principal Place of Business: |
| Mailing Address of Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div> | Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right;">ZIP Code</div> |
| Location of Principal Assets of Business Debtor (if different from street address above): | |

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| Type of Debtor (Form of Organization) (Check one box) <input type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input checked="" type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) | Nature of Business (Check one box) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other Tax-Exempt Entity (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code). | Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding Nature of Debts (Check one box) <input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input checked="" type="checkbox"/> Debts are primarily business debts. |
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| Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B. | Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (<i>amount subject to adjustment on 4/01/13 and every three years thereafter</i>). Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). |
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| Statistical/Administrative Information <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> 1-49</div> <div><input type="checkbox"/> 50-99</div> <div><input checked="" type="checkbox"/> 100-199</div> <div><input type="checkbox"/> 200-999</div> <div><input type="checkbox"/> 1,000-5,000</div> <div><input type="checkbox"/> 5,001-10,000</div> <div><input type="checkbox"/> 10,001-25,000</div> <div><input type="checkbox"/> 25,001-50,000</div> <div><input type="checkbox"/> 50,001-100,000</div> <div><input type="checkbox"/> OVER 100,000</div> </div> Estimated Assets <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input checked="" type="checkbox"/> \$500,001 to \$1 million</div> <div><input type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div> Estimated Liabilities <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> \$0 to \$50,000</div> <div><input type="checkbox"/> \$50,001 to \$100,000</div> <div><input type="checkbox"/> \$100,001 to \$500,000</div> <div><input type="checkbox"/> \$500,001 to \$1 million</div> <div><input checked="" type="checkbox"/> \$1,000,001 to \$10 million</div> <div><input type="checkbox"/> \$10,000,001 to \$50 million</div> <div><input type="checkbox"/> \$50,000,001 to \$100 million</div> <div><input type="checkbox"/> \$100,000,001 to \$500 million</div> <div><input type="checkbox"/> \$500,000,001 to \$1 billion</div> <div><input type="checkbox"/> More than \$1 billion</div> </div> | THIS SPACE IS FOR COURT USE ONLY |
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Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Heavy Construction Lumber, Inc.**All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

Case Number:

Date Filed:

- None -

District:

Relationship:

Judge:

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

Exhibit B

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

X

Signature of Attorney for Debtor(s)

(Date)

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

Exhibit D

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

Information Regarding the Debtor - Venue

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

Certification by a Debtor Who Resides as a Tenant of Residential Property

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord that obtained judgment)

(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

Voluntary Petition*(This page must be completed and filed in every case)*

Name of Debtor(s):

Heavy Construction Lumber, Inc.**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Signature of Attorney*

X /s/ Dawn K. Arnold
Signature of Attorney for Debtor(s)

Dawn K. Arnold
Printed Name of Attorney for Debtor(s)

Rattet, Pasternak & Gordon-Oliver, LLP
Firm Name
550 Mamaroneck Avenue
Suite 510
Harrison, NY 10528

Address

(914) 381-7400 Fax: (914) 381-7406
Telephone Number

July 13, 2010
Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Roseann Giorgi
Signature of Authorized Individual

Roseann Giorgi
Printed Name of Authorized Individual

President
Title of Authorized Individual

July 13, 2010
Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X _____
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X _____
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

**United States Bankruptcy Court
Eastern District of New York**

In re **Heavy Construction Lumber, Inc.**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s) or attorney for the debtor(s) hereby verify that the attached matrix (list of creditors) is true and correct to the best of their knowledge.

Date: **July 13, 2010**

/s/ Roseann Giorgi

Roseann Giorgi/President

Signer/Title

Date: **July 13, 2010**

/s/ Dawn K. Arnold

Signature of Attorney

Dawn K. Arnold

Rattet, Pasternak & Gordon-Oliver, LLP

550 Mamaroneck Avenue

Suite 510

Harrison, NY 10528

(914) 381-7400 Fax: (914) 381-7406

278 Fuel Stop
392 Leonard Street
Brooklyn, NY 11211

941 Employers Tax
P.O. Box 804522
Cincinnati, OH 45280

AAA Bailing and Strapping
6 Carol Avenue
West Haverstraw, NY 10993

American Express
P.O. BOX 1270
Newark, NJ 07101-1270

Amsterdam Color Works
4808 Farragut Road
Brooklyn, NY 11203

AT&T
P.O. Box 105068
Atlanta, GA 30348

Avaya Financial Services
P.O. Box 550599
Jacksonville, FL 32255

Avaya, Inc.
P.O. Box 5332
New York, NY 10087

Bank of America
PO Box 15710
Wilmington, DE 19886

Black Bear, Inc.
27-10 Hunters Pt. Avenue
Long Island City, NY 11101

Boro Lumber, Inc.
57-57 47th Street
Maspeth, NY 11378

Brett Fence
1042 Jackson Avenue
Franklin Square, NY 11010

Caulktite Corp.
18 Delevan Street
Brooklyn, NY 11231

City Bags Wholesalers
P.O. Box 360486
Brooklyn, NY 11236

Clearoll Poly Film Co.
589 Johnson Avenue
Brooklyn, NY 11237

Commuter Tax
MTA-305
P.O. Box 4139
Binghamton, NY 13902

Con Ed
JAF Station
PO Box 1702
New York, NY 10116-1702

CON EDISON COMPANY OF NY
4 Irving Place
New York, NY 10003

ConEdison Co of NY
Cooper Station
PO BOX 138
New York, NY 10276-0138

Dept. of Citywide Admin. Svc.
1 Centre Street, 20th Fl.
New York, NY 10007

Feldman Lumber, Inc.
1281 Metropolitan Avenue
Brooklyn, NY 11237

Ford Credit
P.O. Box 220564
Pittsburgh, PA 15257-2564

Forest/Miron
7402 Forest Avenue
Ridgewood, NY 11385

Futter Lumber
200 West Merrick Road
Rockville Centre, NY 11571

G.C.M. Metal, Ind.
420 Troutman Street
Brooklyn, NY 11237

Gabrielli Truck Sales
3200 Horseblock Road
Medford, NY 11763

Gerald Dandeneau
425 Broadhollow Road, Suite 41
Melville, NY 11747

GMAC
P.O. Box 380902
Minneapolis, MN 55438

Hub Truck Rental
94 Gazza Blvd
Farmingdale, NY 11735

Hub Truck Rental Corp.
94 Gazza Blvd.
Farmingdale, NY 11735

Infiniti Financial Services
P.O. Box 371447
Pittsburgh, PA 15250

Int'l Regist. Bureau
P.O. Box 2850-ESP
Albany, NY 12220

Internal Revenue Service
940 Futa
P.O. Box 4120
Binghamton, NY 13902

Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

J&S Supply, Inc.
53-02 37th Street
Long Island City, NY 11101

JayDee Group
P.O. Box 110517
Brooklyn, NY 11211

Kamco Supply Corp.
80 21st Street
Brooklyn, NY 11232

Kings Material
703 3rd Avenue
Brooklyn, NY 11232

Knockout Pest Control
1009 Front Street
Uniondale, NY 11553

Lehigh Portland Cement
7660 Imperial Way
Allentown, PA 18195

Liberty Wood Products
500 North Avenue
E. Cranford, NJ 07016

Little Brothers
761 Coleman Road
Gettysburg, PA 17325

Local 282
2500 Marcus Avenue
New Hyde Park, NY 11042

M&G Management
640 Belle Terre Rd Bldg D St.1
Port Jefferson, NY 11777

Manifest Funding
P.O. Box 790448
Saint Louis, MO 63179-2328

Mensch Supply
35-20 College Point Blvd.
Flushing, NY 11354

Mercedes Benz Financial
P.O. Box 9001680
Louisville, KY 40290-1680

Merchant Financial Corp
c/o Kelstadt & Winters, LLP
292 Madison Avenue, 17th Floor
New York, NY 10017-6314

Merchant Financial Corp.
1430 Broadway, Ste 1802
New York, NY 10018-2201

Miron Lbr.
74-02 Forest Avenue
Ridgewood, NY 11385

N.Z. Fuel
229 Withers Street
Brooklyn, NY 11211

National Grid
P.O. Box 20690
Brooklyn, NY 11202

Nationwide Funding, LLC
5520 Trabuco Road
First Floor
Irvine, CA 92620

NMHG Financial Services
P.O. Box 64379
Pittsburgh, PA 15264

NMHG Financial Services
44 Old Ridgebury Road
Danbury, CT 06810

North American Hardwood
15 Gervais Drive, Ste 605
Don Mills, Ontario Canada
M3C1Y8

NYC Dept of City Wide Admins Sv
Div. Real Estate Services
One Centre Street, 20th Floor
New York, NY 10007

NYC DEPT OF FINANCE
345 ADAMS STREET, 3RD FLOOR
ATTN: LEGAL AFFAIRS
BROOKLYN, NY 11201

NYC Environmental
Control Board
P.O. Box 2307
New York, NY 10272

NYC Fire Department
Church Street Station
P.O. Box 840
Albany, NY 12212

NYS Dept Tax & Finance
Bankruptcy/Special Section
P.O. Box 5300
Albany, NY 12205-0300

NYS Dept. of Transportation
Office of Modal Safety
50 Wolf Road, POD 53
Albany, NY 12220

NYS Employment Tax
P.O. Box 4120
Binghamton, NY 13902-4120

NYS Insurance Fund
Workers Compensation
P.O. Box 5262
Binghamton, NY 13902

NYS Unemployment
Insurance Fund
P.O. Box 551
Albany, NY 12201

Office of the US Trustee
Southern District of New York
33 Whitehall Street, 21st Flr
New York, NY 10004

Oxford Health Plans
P.O. Box 1368
Newark, NJ 07101

Ozone Park Lbr.
P.O. Box 200139
South Ozone Park, NY 11420

P.M. Auto Parts
1036 Manhattan Avenue
Brooklyn, NY 11222

PACOA
7 Harbor Drive Point
Port Washington, NY 11050

Paint Applicator Corp.
c/o Levy Davis & Maher
29 Broadway 9th Floor
New York, NY 10006-3101

Parmel Agency
88 Sunnyside Blvd.
Plainview, NY 11803

Pitney Bowes Credit Corp.
P.O. Box 856042
Louisville, KY 40285

Pitney Bowes Credit Corp.

Pitney Bowes Purchase Power
P.O. Box 856042
Louisville, KY 40285

Plastic Express
223 25th Street
Brooklyn, NY 11232

PM Auto Parts
1036 Manhattan Avenue
Brooklyn, NY 11222

Quality Promotions
1160 44th Street
Brooklyn, NY 11219

RDJ Consulting
23 Crescent Drive
Old Bethpage, NY 11804

Reiss Wholesale
975 Georgia Avenue
Brooklyn, NY 11207

Security Exchange Commission
The Woolworth Building
233 Broadway- John Murray
New York, NY 10279

Sherwood Lumber
300 Corporate Plaza
Islandia, NY 11749

Sherwood Lumber
c/o Elias C. Schwartz, Esq.
343 Great Neck Road
Great Neck, NY 11021

Skillman Contracting
244 Skillman Avenue
Brooklyn, NY 11211

Staples
P.O. Box 689020
Des Moines, IA 50368-9020

Starborn Industries
27 Engelhard Avenue
Avenel, NJ 07001

Sterling National Bank
P.O. Box 5118
FDR Station
New York, NY 10150

Superstud Bldg. Prod.
2960 Woodbridge Avenue
Edison, NJ 08837

The Ziskin Law Firm
6268 Jericho Tpke, Ste 12-A
Commack, NY 11725

Tri-Star Lumber
3040 21st Street
Astoria, NY 11102

Tri-State Lumber, Inc.
11 West Street
Brooklyn, NY 11211

Trustees Local 282 Int'l
Brotherhood Teamsters
2500 Marcus Avenue
Lake Success, NY 11042

Tulnoy Lbr.
1620 Webster Avenue
Bronx, NY 10457

United States Attorney
One St. Andrew's Plaza
Claims Unit-Room 417
New York, NY 10007

US Bank Corp
P.O. Box 580337
Minneapolis, MN 55458-0337

Verizon Wireless
Bankruptcy Department
P.O. Box 3397
Bloomington, IL 61702

Viccaro Equipment Corp.
1818 Pacific Street
Hauppauge, NY 11788

VR Bags
637 East 132nd Street
Bronx, NY 10454

W.J. Reining
P.O. Box 277
Beach Lake, PA 18405

Waruch Lumber
125 Upper Cherrytown
Kerhonkson, NY 12446

Wheeler, Wottitz and Pagan
271 North Avenue
New Rochelle, NY 10801

Wiener, Crowley and St. John
135 Fort Lee Road
Leonida, NJ 07605

Xerox
1301 Ridgeview Drive
Lewisville, TX 75057